



July 9, 2009

CHAIR OF THE BOARD
Terrill Collier
Collier Arbor Care
Clackamas, Oregon
503-722-7267
terrill@collierarbor.com

VICE CHAIR
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Owen Tree Service, Inc.
Attica, Michigan
810-724-6651
rowen@owentree.com

SENIOR DIRECTOR
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The E.A. Bartlett Tree Expert Co.
Stamford, Connecticut
847-559-1801
sjamieson@bartlett.com

DIRECTORS
Tony Gann
Altec Industries, Inc.
Birmingham, Alabama
816-901-4763
tonygann@altec.com

Erich Schneider
Schneider Tree Care
Taylors, South Carolina
864-244-3088
erich@schneiderstree.com

Benjamin G. Tresselt, III
Arborist Enterprises, Inc.
Lancaster, Pennsylvania
717-393-7602
bentresselt3@comcast.net

Will Maley
Cedarlawn Tree Service, Inc.
Ashland, Massachusetts
508-881-2622
will@cedarlawn.com

Steve Sylvester
S & S Tree &
Horticultural Specialists, Inc.
South St. Paul, Minnesota
651-451-8907
steve@sstree.com

Kevin Caldwell
Caldwell Tree Care
Roswell, Georgia
770-992-1973
caldwellk@caldwelltreecare.com

Jack Guffey
Carolina Tree Care, Inc.
Concord, North Carolina
704-788-8733
jguffey@carolinatree.com

PRESIDENT & CEO
Cynthia Mills, CAE, CMC
Tree Care Industry Association, Inc.
Londonderry, New Hampshire
603-314-5380 x 121
mills@tcia.org

Reps. Mayes (C), Geiss (Maj. VC), Lisa Brown, Clemente, Ebli, Huckleberry, Johnson, Lindberg, Lipton, Melton, Roberts, Scripps, Horn (Min. VC), Crawford, Marleau, Opsommer, Proos, Wayne Schmidt, and Schuitmaker

Michigan House Committee on Energy and Technology

Dear Committee Members,

We are writing to express our support of HB 4999 (2009) because it affords the same rights and responsibilities to utility subcontractors that are currently given to utilities for the use of weight-restricted county roads during the months of March, April and May. HB 4999 provides vital exemptions to the application of Michigan's "Frost Law".

As a trade association for commercial tree care companies, we represent at least 20 utility subcontractors doing business in Michigan. Michigan's current Frost Law has a negative impact on utility subcontractors. The law takes effect during the months of March, April and May each year. During these months, weight limits on certain county roads are generally reduced by 35 percent. This weight limit reduction presents special problems for utility line clearance (tree trimming) subcontractor. Many utility/utility subcontractor repair and maintenance vehicles cannot conform to reduced weight limits; however, the need for reliable and efficient utility service does not end during those months.

Michigan's Frost Law only partially accommodates the important needs of its citizens and businesses for reliable and efficient utility service. Michigan's utilities and their subcontractors may use county roads under Michigan's un-reduced weight limits to respond to emergencies. However during these three months, utilities, but not their subcontractors, may obtain permits for their vehicles to use county roads under un-reduced weight limits for non-emergency utility work such as trenching for underground electric and gas service and tree trimming in preparation for spring storms. Subcontractors do much of this work. Denying utility subcontractors the same ability to obtain permits to use county roads degrades utility industry efforts to operate reliably and efficiently.

Our members provide line clearance, storm restoration and related services to the utility industry. Collectively they provide employment to thousands of Michigan residents. We believe that HB 4999, which allows utilities and subcontractors permitted use of weight-restricted county roads, is a fair compromise between the interests of maintaining roads and providing reliable and efficient utility service. Our members' crews work side by side, or often in advance of the utility crews, and their work must be accorded the same privileges and responsibilities.

Respectfully,

Cynthia Mills, CAE, CMC
President & CEO